



RULE 1.56 DECLARATION

In the United States Patent and Trademark Office

Applicant : Flickinger et al.

Serial No.: 09/740,051 Examiner: James Alpert

Filed : December 18, 2000 Group Art Unit: 3624

For : E-Registrar

DECLARATION UNDER 37 C.F.R. Section 1.131

I, Steve Lutter, declare and say:

That I am a citizen of the United States and I reside at 45 Elm Street, Trumansburg, NY.

That I am one of the coinventors in the above-identified patent application;

That I together with the other coinventors conceived in the United States the invention claimed in the above-identified patent application prior to December 16, 1999, the filing date and priority date of cited U.S. Provisional Application Serial No. 60/172351 and U.S. Patent Publication No.20010053980 to Suliman et al. Incorporated herein and made part of this declaration are the following evidence of said conception: Exhibit A is a copy of a printed document, and Exhibit B is a copy of date stamped electronic file which shows conception of the invention corresponding to the invention broadly disclosed and claimed in the above-identified patent application.

That pursuant to this conception, I together with the other coinventors constructively reduced to practice the invention by filing U.S. Provisional Patent Application Ser No. 60/172,397 in the United States on December 17, 1999, said filing being made one day after the priority date of the aforementioned cited reference to Suliman et al. U.S. provisional patent application 60/172,397, part of the public record of present application, is hereby made a part of this declaration. The above identified patent application to which this declaration pertains properly claims priority from U.S. 60/172,397.

That the undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon;

Further declarant saith not.

Date: April 14<sup>th</sup>, 2006

Steve Lutter